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| 09/973,395 | 10/09/2001 | Tomoko Mito | JP920000238 | 6128 |
| 7590 | 01/06/2005 | | EXAMINER | |
| WILLIAM E. LEWIS RYAN, MASON & LWEIS 90 FOREST AVENUE LOCUST VALLEY, NY 11560 | | | SALL, EL HADJI MALICK | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2157 | |

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) |
|------------------------------|------------------------|---------------------|
| | 09/973,395 | MITO ET AL. |
| | Examiner | Art Unit |
| | El Hadji M Sall | 2157 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12 January 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) _____ is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-12 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: ____.

1.

DETAILED ACTION

This action is responsive to the application filed on August 27, 2001. Claims 1-12 are pending. Claims 1-12 represent information distribution system and method.

2.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 3-6 and 8-12 are rejected under 35 U.S.C. 102(e) as being unpatentable over Logan U.S. 6,665,659.

Logan teaches the invention as claimed including methods and apparatus for distributing and using metadata via the internet.

As to claim 1, Logan teaches an information distribution method, for a network system including a first information processing apparatus for providing information, a second information processing apparatus for obtaining said information, and a network

for connecting said first and said second information processing apparatuses, comprising the steps of:

 said first information processing apparatus recording first information for a user (figure 1, item 4; abstract, Logan discloses...the locally stored citations may be sorted into an particular order in response to a user request...);

 said second information processing apparatus recording second information for said user (figure 1, item 8; column 10, lines 30-32, Logan discloses accepting a second request from said user containing at least a second characteristic of the information desired by said user);

 said first information processing apparatus, while referring to said first information, generating a single first choice or multiple first choices concerning said information (column 2, lines 4-9, Logan discloses an optional specification of one or more particular portions of that source information, and one or more attribute values which characterize the information specified by the citation. These citations are combined in a citation database which is made available to users via the Internet);

 said second information processing apparatus receiving said first single or multiple choices from said first information processing apparatus via said network (column 2, lines 10-11, Logan discloses Individual users employ a rendering program capable of receiving citations from the citation database; column 10, lines 37-40, Logan discloses utilizing a client computer at said remote location to perform the steps of: receiving and storing said subset of citations at said client computer);

 said second information processing apparatus, while referring to said second information, selecting as a single second choice said single first choice or selecting multiple second choices from among said multiple first choices concerning said information (abstract, Logan discloses a system for selectively distributing information from a multiplicity of Internet resources to a user in a way that make it easier for the user to quickly identify information of particular interest...; column 10, lines 30-32, Logan discloses accepting a second request from said user containing at least a second characteristic of the information desired by said user; column 2, lines 10-14, Logan discloses Individual users employ a rendering program capable of receiving

citations from the citation database, sorting and/or filtering the available citations based on a criteria specified by the user, and retrieving information specified by selected citations for presentation to the user);

 said second information processing apparatus requesting that said first information processing apparatus obtain part or all of said information correlated with said single second choice or said multiple second choices (abstract, Logan discloses...The server works in conjunction with a client computer which requests information on a topic or topics of interest by supplying preference data to the server. In response, the server delivers a subset of the citations to the client computer which match the preference data from the client...);

 said first information processing apparatus transmitting said requested information to said second information processing apparatus, and said second information processing apparatus receiving said requested information (abstract, Logan discloses...the server delivers a subset of the citations to the client computer which match the preference data from the client. The client computer places this subset of citations in a local store where they may be compared with user requests by matching the metadata in each citation to criteria specified by the user...);

 and said second information processing apparatus displaying said received information (abstract, Logan discloses... The filtered and sorted citations may then be used to present desired information to the user, either by displaying metadata contained in the citation; column 9, lines 43-44, Logan discloses presenting information specified by said subset of citations to said recipient) .

As to claim 3, Logan teaches the information distribution method according to claim 1, wherein said first single choice or said first multiple choices and said second single choice or said second multiple choices are attribute information for said information (column 1, lines 59-61, Logan discloses It is a further object of the invention to enable an user to locate desired information and to differentiate between different items of such information based on its attributes).

As to claim 4, Logan teaches an information distribution method comprising the steps of:

recording first information concerning a user (abstract, Logan discloses...the locally stored citations may be sorted into an particular order in response to a user request...);

referring to said first information to generate a first single choice or first multiple choices concerning information to be provided (abstract, Logan discloses... generating a central library of citations, each containing metadata that describes selected information from a resource identified by a URL);

transmitting said first single choice or said first multiple choices across a network to a second information processing apparatus (column 9, lines 29-30, Logan discloses transmitting said collection of citations via the Internet from a server computer to a client computer); and

transmitting to said second information processing apparatus, in response to a request, part or all of said first information concerning said first single choice selected as a second single choice or said first multiple choices selected as multiple second choices (column 3, lines 55-59, Logan discloses based on the subscriber preference information stored at 125, or in response to subscriber requests received via the Internet 100, an Internet server 131 transmits selected citations to individual users via the Internet 100).

As to claim 5, Logan teaches an information distribution method comprising the steps of:

recording second information concerning a user (column 10, lines 30-32, Logan discloses accepting a second request from said user containing at least a second characteristic of the information desired by said user);

receiving a first single choice or first multiple choices across a network concerning information generated by a first information processing apparatus (column 2, lines 10-11, Logan discloses Individual users employ a rendering program capable of receiving citations from the citation database; column 10, lines 37-40, Logan

discloses utilizing a client computer at said remote location to perform the steps of: receiving and storing said subset of citations at said client computer);

referring to said second information to select as a second single choice said first single choice or to select as second multiple choices said first multiple choices concerning said information (abstract, Logan discloses a system for selectively distributing information from a multiplicity of Internet resources to a user in a way that make it easier for the user to quickly identify information of particular interest...; column 10, lines 30-32, Logan discloses accepting a second request from said user containing at least a second characteristic of the information desired by said user; column 2, lines 10-14, Logan discloses Individual users employ a rendering program capable of receiving citations from the citation database, sorting and/or filtering the available citations based on a criteria specified by the user, and retrieving information specified by selected citations for presentation to the user);

requesting part or all of said information correlated with said second single choice or said second multiple choices (abstract, Logan discloses... The server works in conjunction with a client computer which requests information on a topic or topics of interest by supplying preference data to the server. In response, the server delivers a subset of the citations to the client computer which match the preference data from the client...);

receiving said information from said first information processing apparatus (abstract, Logan discloses...the server delivers a subset of the citations to the client computer which match the preference data from the client. The client computer places this subset of citations in a local store where they may be compared with user requests by matching the metadata in each citation to criteria specified by the user...); and

displaying said received information (abstract, Logan discloses... The filtered and sorted citations may then be used to present desired information to the user, either by displaying metadata contained in the citation; column 9, lines 43-44, Logan discloses presenting information specified by said subset of citations to said recipient).

As to claim 6, Logan teaches an information distribution system, including a first information processing apparatus for providing information, a second information processing apparatus for obtaining said information, and a network for connecting said first and said second information processing apparatuses, comprising:

means for recording first information for a user in said first information processing apparatus (figure 1, item 4; abstract, Logan discloses...the locally stored citations may be sorted into an particular order in response to a user request...);

means for recording second information for said user in said second information processing apparatus (figure 1, item 8; column 10, lines 30-32, Logan discloses accepting a second request from said user containing at least a second characteristic of the information desired by said user);

means for permitting said first information processing apparatus to, while referring to said first information, generate a single first choice or multiple first choices concerning said information (column 2, lines 4-9, Logan discloses an optional specification of one or more particular portions of that source information, and one or more attribute values which characterize the information specified by the citation. These citations are combined in a citation database which is made available to users via the Internet);

means for permitting said second information processing apparatus to receive said first single or multiple choices from said first information processing apparatus via said network (column 2, lines 10-11, Logan discloses Individual users employ a rendering program capable of receiving citations from the citation database; column 10, lines 37-40, Logan discloses utilizing a client computer at said remote location to perform the steps of: receiving and storing said subset of citations at said client computer);

means for permitting said second information processing apparatus to, while referring to said second information, select as a single second choice said single first choice or selecting multiple second choices from among said multiple first choices concerning said information (abstract, Logan discloses a system for selectively distributing information from a multiplicity of Internet resources to a user in a way that

make it easier for the user to quickly identify information of particular interest...; column 10, lines 30-32, Logan discloses accepting a second request from said user containing at least a second characteristic of the information desired by said user; column 2, lines 10-14, Logan discloses Individual users employ a rendering program capable of receiving citations from the citation database, sorting and/or filtering the available citations based on a criteria specified by the user, and retrieving information specified by selected citations for presentation to the user);

means for permitting said second information processing apparatus to request that said first information processing apparatus obtain part or all of said information correlated with said single second choice or said multiple second choices (abstract, Logan discloses...The server works in conjunction with a client computer which requests information on a topic or topics of interest by supplying preference data to the server. In response, the server delivers a subset of the citations to the client computer which match the preference data from the client...);

means for permitting said first information processing apparatus to transmit said requested information to said second information processing apparatus, and for permitting said second information processing apparatus to receive said requested information (abstract, Logan discloses...the server delivers a subset of the citations to the client computer which match the preference data from the client. The client computer places this subset of citations in a local store where they may be compared with user requests by matching the metadata in each citation to criteria specified by the user...); and

means for permitting said second information processing apparatus to display said received information (abstract, Logan discloses...The filtered and sorted citations may then be used to present desired information to the user, either by displaying metadata contained in the citation; column 9, lines 43-44, Logan discloses presenting information specified by said subset of citations to said recipient).

As to claim 8, Logan teaches the information distribution system according to claim 6, wherein said first single choice or said first multiple choices and said second

single choice or said second multiple choices are attribute information for said information (column 1, lines 59-61, Logan discloses It is a further object of the invention to enable an user to locate desired information and to differentiate between different items of such information based on its attributes).

As to claim 9, Logan teaches an information processing apparatus comprising:
means for recording first information concerning a user (abstract, Logan discloses... the locally stored citations may be sorted into an particular order in response to a user request...);

means for referring to said first information to generate a first single choice or first multiple choices concerning information to be provided (abstract, Logan discloses... generating a central library of citations, each containing metadata that describes selected information from a resource identified by a URL);

means for transmitting said first single choice or said first multiple choices across a network to a second information processing apparatus (column 9, lines 29-30, Logan discloses transmitting said collection of citations via the Internet from a server computer to a client computer); and

means for transmitting to said second information processing apparatus, in response to a request, part or all of said first information concerning said first single choice selected as a second single choice or said first multiple choices selected as multiple second choices (column 3, lines 55-59, Logan discloses based on the subscriber preference information stored at 125, or in response to subscriber requests received via the Internet 100, an Internet server 131 transmits selected citations to individual users via the Internet 100).

As to claim 10, Logan teaches an information processing apparatus comprising:
means for recording second information concerning a user (column 10, lines 30-32, Logan discloses accepting a second request from said user containing at least a second characteristic of the information desired by said user);

means for receiving a first single choice or first multiple choices across a network concerning information generated by a first information processing apparatus (column 2, lines 10-11, Logan discloses Individual users employ a rendering program capable of receiving citations from the citation database; column 10, lines 37-40, Logan discloses utilizing a client computer at said remote location to perform the steps of: receiving and storing said subset of citations at said client computer);

means for referring to said second information to select as a second single choice said first single choice or to select as second multiple choices said first multiple choices concerning said information (abstract, Logan discloses a system for selectively distributing information from a multiplicity of Internet resources to a user in a way that make it easier for the user to quickly identify information of particular interest...; column 10, lines 30-32, Logan discloses accepting a second request from said user containing at least a second characteristic of the information desired by said user; column 2, lines 10-14, Logan discloses Individual users employ a rendering program capable of receiving citations from the citation database, sorting and/or filtering the available citations based on a criteria specified by the user, and retrieving information specified by selected citations for presentation to the user);

means for requesting part or all of said information correlated with said second single choice or said second multiple choices (abstract, Logan discloses... The server works in conjunction with a client computer which requests information on a topic or topics of interest by supplying preference data to the server. In response, the server delivers a subset of the citations to the client computer which match the preference data from the client...);

means for receiving said information from said first information processing apparatus (abstract, Logan discloses...the server delivers a subset of the citations to the client computer which match the preference data from the client. The client computer places this subset of citations in a local store where they may be compared with user requests by matching the metadata in each citation to criteria specified by the user...); and

means for displaying said received information (abstract, Logan discloses... The filtered and sorted citations may then be used to present desired information to the user, either by displaying metadata contained in the citation; column 9, lines 43-44, Logan discloses presenting information specified by said subset of citations to said recipient).

As to claim 11, Logan teaches a computer program product for permitting a computer to perform:

a function for recording first information concerning a user (abstract, Logan discloses...the locally stored citations may be sorted into an particular order in response to a user request...);

a function for referring to said first information to generate a first single choice or first multiple choices concerning information to be provided (abstract, Logan discloses... generating a central library of citations, each containing metadata that describes selected information from a resource identified by a URL);

a function for transmitting said first single choice or said first multiple choices across a network to a second information processing apparatus (column 9, lines 29-30, Logan discloses transmitting said collection of citations via the Internet from a server computer to a client computer); and

a function for transmitting to said second information processing apparatus, in response to a request, part or all of said first information concerning said first single choice selected as a second single choice or said first multiple choices selected as multiple second choices (column 3, lines 55-59, Logan discloses based on the subscriber preference information stored at 125, or in response to subscriber requests received via the Internet 100, an Internet server 131 transmits selected citations to individual users via the Internet 100).

As to claim 12, Logan teaches a computer program product for permitting a computer to perform:

a function for recording second information concerning a user (column 10, lines 30-32, Logan discloses accepting a second request from said user containing at least a second characteristic of the information desired by said user);

a function for receiving a first single choice or first multiple choices across a network concerning information generated by a first information processing apparatus (column 2, lines 10-11, Logan discloses Individual users employ a rendering program capable of receiving citations from the citation database; column 10, lines 37-40, Logan discloses utilizing a client computer at said remote location to perform the steps of: receiving and storing said subset of citations at said client computer);

a function for referring to said second information to select as a second single choice said first single choice or to select as second multiple choices said first multiple choices concerning said information (abstract, Logan discloses a system for selectively distributing information from a multiplicity of Internet resources to a user in a way that make it easier for the user to quickly identify information of particular interest...; column 10, lines 30-32, Logan discloses accepting a second request from said user containing at least a second characteristic of the information desired by said user; column 2, lines 10-14, Logan discloses Individual users employ a rendering program capable of receiving citations from the citation database, sorting and/or filtering the available citations based on a criteria specified by the user, and retrieving information specified by selected citations for presentation to the user);

a function for requesting part or all of said information correlated with said second single choice or said second multiple choices (abstract, Logan discloses... The server works in conjunction with a client computer which requests information on a topic or topics of interest by supplying preference data to the server. In response, the server delivers a subset of the citations to the client computer which match the preference data from the client...);

a function for receiving said information from said first information processing apparatus (abstract, Logan discloses...the server delivers a subset of the citations to the client computer which match the preference data from the client. The client computer places this subset of citations in a local store where they may be compared

with user requests by matching the metadata in each citation to criteria specified by the user...); and

a function for displaying said received information (abstract, Logan discloses... The filtered and sorted citations may then be used to present desired information to the user, either by displaying metadata contained in the citation; column 9, lines 43-44, Logan discloses presenting information specified by said subset of citations to said recipient).

4.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan U.S. 6,665,659 in view of Kikuchi et al. U.S. 5,584,022.

Logan teaches the invention substantially as claimed including methods and apparatus for distributing and using metadata via the internet.

As to claim 2, Logan teaches the information distribution method according to claim 1, wherein said first information is information concerning said user that can be disclosed (column 2, lines 45-47, Logan discloses A user can then transmit a request

to the server containing a first specification which characterizes information of interest to the user).

Logan fails to teach said second information is secret information held by said user.

However, Kikuchi teaches enciphered file sharing method. Kikuchi teaches said second information is secret information held by said user (column 7, lines 6-9, The user hold the secret information Z_i which is calculated from the inverse element of the identification information of all directories to which the user is authorized to make an access).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Logan in view of Kikuchi to provide said second information is secret information held by said user. One would be motivated to do so to allow privacy among users (abstract).

As to claim 7, Logan teaches the information distribution system according to claim 6, wherein said first information is information concerning said user that can be disclosed (column 2, lines 45-47, Logan discloses A user can then transmit a request to the server containing a first specification which characterizes information of interest to the user).

Logan fails to teach said second information is secret information held by said user.

However, Kikuchi teaches said second information is secret information held by said user (column 7, lines 6-9, The user hold the secret information Z_i which is calculated from the inverse element of the identification information of all directories to which the user is authorized to make an access).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Logan in view of Kikuchi to provide said second information is secret information held by said user. One would be motivated to do so to allow privacy among users (abstract).

6.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4010.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
Art Unit: 2157



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